

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the) Application No. NG-00023
Application of Kinder Morgan,)
Inc., Lakewood, Colorado,)
seeking to implement gas)
supply cost adjustment rate)
schedules applicable to) ORDER SUSPENDING OPERATION OF
Nebraska Rate Schedules CGS) PROPOSED TARIFF CHANGES AND
(Choice Gas Service), ACGS-NSS) ISSUING NOTICE OF ASSESSMENT
(Agricultural Choice Gas)
Service Non-Seasonal Service),)
and ACGS-SS (Agricultural)
Choice Gas Service Seasonal)
Service).) Entered: May 24, 2005

O P I N I O N A N D F I N D I N G S

On April 28, 2005, Kinder Morgan filed its 2005 Annual Gas Supply Cost Adjustment Applicable to Nebraska Rate Schedules CGS (Choice Gas Service), ACGS-NSS (Agricultural Choice Gas Service Non-Seasonal Service), and ACGS-SS (Agricultural Choice Gas Service Seasonal Service) (2005 Annual GSCA), to become effective June 1, 2005. Kinder Morgan's GSCAs are retained in the above-captioned docket.

On January 18, 2005, Kinder Morgan, Inc. (Kinder Morgan) filed an application for approval of a Plan of Action regarding its 2005 Gas Supply Cost Adjustment (GSCA) Associated with Other Services Charge (Plan of Action), seeking an effective date of June 1, 2005. The Plan of Action was docketed as Application No. NG-0023.1. The Public Advocate, Roger Cox, is a formal intervenor in that proceeding.

Part of the 2005 Annual GSCA includes revisions to the Other Services Charge to adopt the proposal filed in the application for approval of the Plan of Action.

A hearing on the Plan of Action was originally scheduled for May 8, 2005, at 2:00 p.m. in the Commission Hearing Room. On May 4, 2005, the Public Advocate and Kinder Morgan entered into a Settlement Agreement regarding the Plan of Action. The Commission has not ruled upon the Settlement Agreement. The original hearing date was continued.

The hearing for Application No. NG-0023.1 has been set for June 10, 2005, at 10:00 a.m. Given that this date is later than

the proposed June 1, 2005, effective date of the 2005 Annual GSCA and the Plan of Action, the Commission finds that it is necessary to suspend the Other Services Charge as reflected in the 2005 Annual GSCA. No other charges in the 2005 Annual GSCA are suspended by this order. The Commission further finds that Kinder Morgan should file revised tariff sheets for the 2005 Annual GSCA to reflect suspension of the Other Services Charge, with an effective date of June 1, 2005.

The Commission also finds that it may be necessary to assess certain expenses associated with this docket to Kinder Morgan, pursuant to Neb. Rev. Stat. § 66-1840. The Commission hereby provides notice to the utility, as required by Neb. Rev. Stat. § 66-1840, that expenses may be assessed.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the Other Services Charge in the 2005 Annual GSCA shall be suspended pending hearing in Application No. NG-0023.1, Kinder Morgan's Plan of Action.

IT IS FURTHER ORDERED that Kinder Morgan shall file revised tariff sheets for the 2005 Annual GSCA to reflect the suspension of the Other Services Charge, with an effective date of June 1, 2005.

IT IS FINALLY ORDERED that Kinder Morgan is hereby given notice of assessment as required by Neb. Rev. Stat. § 66-1840 and a copy of this order shall be mailed to Kinder Morgan.

MADE AND ENTERED at Lincoln, Nebraska, this 24th day of May, 2005.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director